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OFFICE OF PETITIONS

In re Application of
Kask, et. al.
Application No. 10/633,109
Filed: August 1, 2003
Attorney Docket No. AGYT-017CIP2

DECISION ON REQUEST
TO WITHDRAW FROM
RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 CFR § 1.36(b), filed on April 3, 2006.

The request is **NOT APPROVED**.

A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 CFR § 1.136(a).

The Office cannot approve the request at this time since the reasons provided do not meet any of the conditions under the mandatory or permissive categories enumerated in 37 CFR 10.40. Section 10.40 of Title 37 of the Code of Federal Regulation states, "[a] practitioner shall not withdraw from employment in a proceeding before the Office without permission from the Office[.]" More specifically, 37 CFR 10.40 states, "[i]f paragraph (b) of this section is not applicable, a practitioner may not request permission to withdraw in matter pending before the Office unless such request or such withdrawal is" for one the permissive reasons listed in 37 CFR 10.40(c). The reasons set forth in the request, ownership assigned to a different entity and new assignee¹ requested transfer, do not meet any the conditions set forth in 37 CFR 10.40.

All future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicant.

Telephone inquiries concerning this decision should be directed to Andrea Smith at 571-272-3226.

Andrea Smith
Petitions Examiner
Office of Petitions

Conferee:

cc: Pfizer, Inc.
2800 Plymouth Road
Bldg. 16, Rm. 410E
Ann Arbor, MI 48105

¹ In order for the new assignee to intervene in the above-identified application, compliance with 37 CFR 3.73(b) must be satisfied, in that, the chain of title from the original owners to the current assignee must be submitted. The form for complying with 37 CFR 3.73(b) is found on the USPTO.gov website (Form No. PTO/SB/96).